

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

JOHN BAXLEY, JR.,
EARL EDMONDSON,
JOSHUA HALL,
DONNA WELLS-WRIGHT,
HEATHER REED, and
DANNY SPIKER, JR. on their own behalf
and on behalf of others similarly situated,

Plaintiffs,

v.

CIVIL ACTION NO. 3:18-1526

BETSY JIVIDEN, in her official capacity
as Commissioner of the West Virginia
Division of Corrections and Rehabilitation,

Defendant.

ORDER

Pending before the Court is Plaintiffs' Motion to Strike. ECF No. 640.


The Court **ORDERS** that Defendant immediately provide Plaintiffs with electronic copies of the contract referenced in her Motion for Summary Judgment and attached to it as Exhibit B and any and all appendices, attachments, and similar materials. These documents should be formatted and organized in a way that can be easily understood by Plaintiffs' counsel. Defendant should certify to the Court immediately upon its transmission of that material to Plaintiffs.

The Court further **ORDERS** that Defendant makes available for deposition on a date and time decided by Plaintiff, but occurring next week, one or more persons who can provide background and explanation related to the negotiation, terms, and implementation of said contract.

For clarity, the Court **HOLDS IN ABEYANCE** Plaintiffs' Motion to Strike (ECF No. 640) and Defendant's Motion for Summary Judgment (ECF No. 621).

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented parties.

ENTER: May 23, 2022



ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE